of Sarbanand Sonwal *Vs.* Union of India, held that the illegal Migrants (Determination by Tribunals) Act, 1998 and the rules made thereunder, are ultra vires and struck it down and observed that the centre had not done its duty to protect Assam from 'external aggression';

(b) Government's evaluation of magnitude/threat perception of such aggression;

(c) who are responsible and who constitute this aggression; and

(d) the steps taken by Government to protect Assam from so called 'external aggression'?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI): (a) The Hon'ble Supreme Court of India *vide* its judgement dated 12.7.2005 in Writ Petition No. 131/2000 in the matter of Sarbanand Sonowal *Vs.* Union of India, held that the Illegal Migrants (Determination by Tribunals) Act, 1983 and the Rules made thereunder, are ultra vires and struck it down. The Hon'ble Supreme Court, *inter alia,* directed that all cases shall be decided in the manner provided in the Foreigners Act, the Rules made thereunder and the procedure prescribed under the Foreigners (Tribunals) Order, 1964. The Government was also directed to constitute sufficient number of Tribunals under the Foreigners (Tribunals) Order, 1964, to effectively deal with cases of foreigners, who have illegally come from Bangladesh or are illegally residing in Assam.

(b) to (c) The Government is aware of illegal immigration/infiltration from Bangladesh into various parts of the country. However, as this activity takes place clandestinely, no specific details are available about the magnitude of this illegal infiltration.

(d) The Government has taken up various measures to curb illegal influx into the country, which *inter alia* includes strengthening of Border Security Force (BSF) and equipping them with modern and sophisticated equipments/gadgets; reduction of gaps between border outposts, intensification of patrolling, accelerated programme of construction of border roads and border fencing etc. The State Governments/UT Administration have been empowered under section 3(2) (c) of the Foreigners Act, 1946 to detect and deport foreign nationals illegally staying in India. Administrative instructions are issued from time to time requesting the State Governments/UT Administration to detect and deport illegal Bangladeshi migrants staying in the country. In addition, thirty-two (32) foreigners tribunals under the provisions of Foreigners (Tribunals) Order, 1964 have been constituted in the State of Assam for detection of illegal migrants/foreigners.

Losses due to floods in the country

1329. DR. GYAN PRAKASH PILANIA:
SHRI LALIT KISHORE CHATURVEDI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the losses suffered due to floods in different parts of country during last five years and current year, year-wise, Statewise, category-wise (human lives lost, cattle loss, property, house, crop loss, etc.);

(b) the additional expenditure, Central/State had to incur for flood-relief, year-wise;

(c) the losses suffered by Rajasthan due to floods during August 2006, amounts to relief requested from Centre, and Relief amount granted by Centre; and

(d) the measures Government intend to take to check endemic flood menace?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V.

RADHIKA SELVI): (a) to (d) The details of damage due to flash floods/floods/landslides/ cloudburst etc., as reported by the States/Union Territories during the last five years, are enclosed as Statement-I (*See* below).

State Governments are primarily responsible to take rescue and relief measures in the wake of natural calamities. The Government of India supplements the efforts of the State Governments by providing financial and logistic support, where necessary. To ensure ready availability of funds with the States to undertake immediate rescue and relief operations in the wake of natural calamities, a Calamity Relief Fund (CRF) has been constituted with an allocated amount for each State, which is contributed by the Government of India and the concerned State Governments in the ratio of 3:1. For calamity of a severe nature, additional financial asistance is also considered from the National Calamity Contingency Fund (NCCF), after following the laid down procedure.

Details of the funds released to the States from CRF and NCCF during the last five years is enclosed as Statement-II.

The Government of Rajasthan, in their memorandum, sought financial assistance of Rs. 3248.22 crore for management of floods during August, 2006.

Keeping in view the magnitude of the situation, the Government of India had released on 6th September, 2006, an amount of Rs. 350.00 crore, as per details given below, to enable the Government of Rajasthan to undertake rescue and relief operations in the affected areas:

(i) Rs. 163.66 crore as advance release of second instalment of Central share of Calamity Relief Fund (CRF) for the year 2006-07.

(ii) Rs. 86.34 crore as advance release of 25% of the Central share of CRF for the year 2007-08.

(iii) Rs. 100.00 crore as 'on account' release from National Calamity Contingency Fund (NCCF).

The 1st instalment of Central share of CRF for the year 2006-07 amounting to Rs. 163.66 crore was earlier released on 28th June, 2006.

The request of the Government of Rajasthan for additional Central assistance was considered by the High Level Committee which had approved the following assistance:—

(i) Rs. 240.44 crore from NCCF subject to adjustment of 75% of the balance available in the CRF account of the State for the instant calamity.

(ii) Rs. 5.00 crore from Special Component of Accelerated Rural Water Supply Programme (ARWSP).

(iii) Release of 60400 MT foodgrains for relief employment from the Special Component of Sampoorna Gramin Rozgar Yojana (SGRY).

Flood Management being a State subject, the schemes for flood control are planned, funded and executed by the State Governments. The role of Central Government is technical, catalytical and promotional in nature. However, Government of India is providing Central assistance to State Governments to carry out flood control and river management works, in the critial reaches.

A State sector scheme proposed by the Ministry of Water Resources, namely "National Flood Management Programmes" with an outlay of Rs. 8000/- crore has been approved by the Government in principle, in November, 2007 for providing Central assistance to the State Government during XI Plan period (2007-12). It covers the critical flood management and erosion control works taken up by the States.

Statement-I

State-wise details of damage due to Flash floods/Cyclonic rains/floods/landslides during the years 2003-04 *to* 2007-08

Years

Sl. No.	State/UT	2003-04				2004-05			
		Lives lost (No.)	Cattle lost (No.)	Houses (No.)	Crops area (in lakh ha.)	Lives lost (No.)	Cattle lost (No.)	Houses (No.)	Crops area (in lakh ha.)
1	2	3	4	5	6	7	8	9	10
1.	Andhra Pradesh	—	—	—	—	—	—	—	—
2.	Arunachal Pradesh	43	12785	2115	0.48	11	—	—	0.92
3	Assam	30	108	4641	3.82	448	2256	589064	12.58
4.	Bihar	241	106	45175	6.05	731	2673	897427	13.95
5	Chhattisgarh	30	3058	44367	0.85	—	—	—	—
6.	Gujarat	139	1071	13878	1 09	171	637	30000	—
7.	Goa	—	—	—	—	—	—	—	—
8.	Haryana	—	—	—	—	21	766	5000	0.81
9.	Himachal Pradesh	89	452	2924	0.16	3	2	92	0.58
10.	Jammu & Kashmir	—	—	—	—	—	—	—	—
11.	Jharkhand	—	—	—	—	—	—	—	—
12.	Karnataka	29	23	4183	0.07	—	—	—	—
13.	Kerala	32	—	2886	0.28	139	—	15788	—
14.	Madhya Pradesh	18	735	30511	1.27	—	—	—	—
15.	Maharashtra	260	977	9459	—	283	552	4468	1.00
16.	Manipur	—	—	—	—	—	—	—	—
17.	Meghalaya	3	—	3	—	3	4913	2604	—
18.	Mizoram	—	—	—	—	6	—	2	—
19.	Nagaland	—	—	—	—	—	—	211	0.004
20.	Orissa	60	2474	184843	4.78	7	—	95	0.04
21.	Punjab	—	—	—	—	17	482	12434	0.28
22.	Rajasthan	—	—	2564	0.17	—	—	—	—
23.	Sikkim	—	—	—	—	4	—	300	—
24.	Tamil Nadu	—	—	—	—	78	92	30966	1.55
25.	Tripura	—	—	—	—	3	—	14043	—
26.	Uttar Pradesh	980	3304	322244	12.92	25	—	—	—
27.	Uttarakhand	20	300	499	—	43	16	38	—
28.	West Bengal	18	—	11917	0.04	2	—	768	0.451
29.	Puducherry	—	—	—	—	—	—	—	—

neg.=negligible

(Provisional)

2005-06				2006-07				2007-08 (as on 21.2.08)			
Lives lost (No.)	Cattle lost (No.)	Houses damaged (No.)	Crops area (in lakh ha.)	Lives lost (No.)	Cattle lost (No.)	Houses damaged (No.)	Cropped area affected (in lakh ha.)	Lives lost (No.)	Cattle lost (No.)	Houses damaged (No.)	Cropped area affected (in lakh ha.)
11	12	13	14	15	16	17	18	19	20	21	22
114	4956	120404	3.34	247	366308	322074	8.14	260	54469	654516	5.24
10	636	6572	0.12	—	—	—	—	4	14736	12987	0.28
27	—	735	0.33	7	20	2367	0.11	142	1660	414444	6 75
51	—	4266	0.56	25	19	17447	0.75	976	988	690466	16 62
37	470	22155	0.41	37	9653	15820	0.15	15	53	12482	0 03
213	7563	161622	3.66	293	8421	161625	7.47	486	9707	41756	4 68
—	—	—	—	—	—	*5*	*0.00*	*3*	—	*1100*	neg
11	66	3647	0.12	6	—	—	—	—	—	—	—
15	3081	2872	0.58	48	846	4379	0.94	98	3087	10820	1.13
3	86	357	0.01	25	2677	11835	0.61	—	—	—	—
—	—	—	—	5	101	3011	0.03	2	2	986	0.01
160	13000	110498	2.43	123	236	20440	1.55	222	12958	231698	5.00
131	1509	20527	0.60	180	2269	114435	0.24	262	2813	58804	0.38
86	45638	223022	0.05	168	6107	129998	—	76	307	18321	0.04
1108	31251	591224	10.00	423	13417	594516	12.59	155	1477	47045	—
—	—	—	—	—	—	—	—	—	—	—	—
1	115	67	—	—	—	—	neg.	—	—	—	—
2	8	27	0.08	—	—	—	—	12	8	2243	0.04
15	—	214	—	—	—	—	—	—	—	—	—
22	—	5410	3.45	90	1656	120356	3.09	91	662	104712	3.19
25	116	268	1.04	8	16	2.24	0.02	7	18	527	0 28
82	435	12981	0.34	146	42253	254844	17.36	63	5114	10058	neg
10	63	390	0.26	—	—	—	—	12	911	1440	neg.
252	1468	757852	4.47	23	67	444	17.37	71	385	20216	1.94
—	—	—	—	4	—	—	—	8	—	3	—
203	259	72729	3.67	508	588	—	—	261	157	165064	5.13
113	277	1712	—	—	—	—	—	83	275	979	—
7	—	461	—	36	697	160575	0.45	348	4154	996948	24.91
—	—	—	—	—	268	285	neg.	2	199	1308	0.14

Statement-II

State-wise details of allocation and release of CRF/NCCF during the years 2003-04 *to* 2007-08

(Rs in crore)

Sl No	State	Allocation under CRF					Centre's share of CRF released					Released from NCCF				
		2003-04	2004-05	2005-06	2006-07	2007-08	2003-04	2004-05	2005-06	2006-07	2007-08 (till date)	2003-04	2004-05	2005-06	2006-07	2007-08 (till date)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1	Andhra Pradesh	229 28	240 74	344 08	361 28	379 35	171 96	180 56	258 06	335 48	219 99	116 75	65 07	100 00	203 06	37 51
2	Arunachal Pradesh	13 92	14 61	28 3	29 12	29 97	10 44	10 96	21 23	21 84	22 48	29 79	9 09	68 44	44 38	0 00
3	Assam	117 49	123 36	193 06	198 62	204 48	88 12	92 52	144 79	221 37	153 36	0 00	211 55	0 00	0 00	0 00
4	Bihar	77 52	81 4	148 93	153 23	157 74	58 14	61 05	111 69	55 85*	233 24	0 00	398 92	0 00	0 00	0 00
5	Chhattisgarh	31 8	33 38	111 75	114 98	118 35	23 85	25 03	83 81	150 33	65 57	26 83	52 74	0 00	0 00	0 00
6	Goa	1 44	1 51	2 11	2 21	2 32	1 08	1 13	1 58	2 45	1 74	0 00	0 00	0 00	0 00	0 00
7	Gujarat	186 84	196 18	246	258 3	271 22	140 13	147 14	184 50	246 87	48 57	32 41	55 00	304 31	545 69	0 00
8	Haryana	94 12	98 83	124 38	130 6	137 13	70 59	74 12	93 28	107 28	102 85	2 20	0 00	0 00	0 00	0 00
9	Himachal Pradesh	50 34	52 86	100 69	103 6	106 65	37 75	39 64	75 52	77 70	79 99	0 30	0 00	112 97	25 14	24 59
10	Jammu & Kashmir	40 4	42 42	86 46	88 96	91 58	30 3	31 82	64 84	66 72	68 68	0 00	50 00	309 77	0 00	13 51
11	Jharkhand	65 63	68 91	126 07	129 71	133 53	49 22	51 68	94 56	48 64	148 79	0 00	0 00	0 00	0 00	0 00
12	Karnataka	86 32	90 64	114 66	120 39	126 41	64 74	67 98	86 00	113 98	71 11	316 47	63 62	358 85	384 97	68 89
13	Kerala	77 84	81 73	85 5	89 77	94 26	58 38	61 30	64 13	67 33	70 70	0 00	206 00	17 94	0 00	50 81
14	Madhya Pradesh	72 51	76 13	254 23	261 58	269 29	54 39	57 10	190 67	246 67	151 48	36 72	1 70	0 00	30 85	0 00
15	Maharashtra	181 98	191 08	222 9	234 05	245 75	136 49	143 31	167 18	220 00	47 70	77 46	173 23	657 25	589 90	168 92
16	Manipur	3 32	3 49	5 56	5 72	5 89	0 00*	0 00*	0 00*	0 00*	10 67	0 00	0 00	0 00	0 00	0 00
17	Meghalaya	4 56	4 79	11 29	11 61	11 95	3 42	3 59	8 47	12 95	8 96	0 00	6 16	0 00	0 00	0 00
18	Mizoram	3 44	3 61	6 58	6 77	6 97	2 58	2 71	4 94	5 01	7 77	0 00	10 68	0 00	0 00	8 81

19.	Nagaland	2.27	2.38	3.83	3.94	4.05	1.70	1.79	2.87	0.00*	7.42	0.00	1.81	0.00	0.81	0.00
20.	Orissa	126.72	133.06	301.54	310.24	319 38	95.04	99.79	226.16	291.34	180.87	104.43	53.44	0 00	25.00	0.00
21.	Punjab	142.06	149.17	146.03	153.33	160.99	106.55	111.87	109.52	112.26	117.87	0.00	0.00	0 00	-0.00	0.00
22.	Rajasthan	239.63	251.61	415.64	436.42	458.25	179.72	188.71	311.73	413 66	257.34	512.74	216.79	0.00	100.00	0.34
23.	Sikkim	8	8.4	17.53	18.04	18.57	6.00	6.30	13.15	0.00*	27.46	0.00	9.90	0.00	5.20	0.00
24.	Tamil Nadu	118.82	124.76	209.08	219.53	230.51	89.11	93.57	156.81	243.06	172.88	289.45	783.14	1131 91	0.00	0.00
25.	Tripura	6.02	6.32	12.85	13.22	13.61	4.51	4.74	0.00*	14.60#	10.07	0.00	0.05	0.00	0.00	0.00
26.	Uttar Pradesh	169.33	177.81	295.94	304.48	313.45	127	133.36	221.95	228.36	235.10	41.87	192.10	0.00	0.00	0.00
27.	Uttarakhand	37.47	39.34	94.69	96.59	98.58	28.10	29.50	71.02	36.22	73.19	0.00	0.00	0.00	7.06	0.00
28.	West Bengal	117.04	122.89	234.73	241.5	248.62	87.78	92.17	176.05	181.12	93.24	0.00	0.00	0.00	0.00	0.00
	TOTAL:	2306.11	2421.41	3944.41	4097.79	4258.85	1727.09	1813.44	2944.51	3521.07@	2689.06	1587.42	2560.99	3061.44	1962.06	373.38

*Centre's share of CRF has not been released for want of information relating to crediting of earlier released funds, utilisation certificate and annual report.

#Including arrears of CRF for the previous year.

@This includes Rs. 403.495 crore (about 25% Central share released in advance during 2006-07 for the year 2007-08).